

Serial No. 10/082,204

**REMARKS****INTRODUCTION**

In accordance with the foregoing, claims 1, 5, 13, 14 and 18 have been amended. Claims 1-25 are now pending and under consideration. The Examiner's rejections are respectfully traversed below and reconsideration is earnestly requested.

**REASONS FOR ENTRY**

Applicant requests entry of this Rule 116 Response and Request for Reconsideration because the amendments of claims 1, 5, 13, 14 and 18 are merely to improve form and overcome the rejections under 35 U.S.C. §112, and do not entail any further search by the Examiner since no new features are being added or no new issues are being raised. The §112 rejections were first raised in the last Office Action and therefore have been timely addressed by entry of this Rule 116 Amendment. In addition, a newly-cited reference was applied in this last Office Action in rejecting the claims. Applicant should have an opportunity to address this new reference.

Further, the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

**REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH**

On page 2 of the Action, the Examiner rejects claims 1-4 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Specifically, the Examiner states that it is not clear to which terminal Applicant is referring in the phrase "attaching the location of said terminal", as recited in claim 1.

Claim 1 has been amended to further clarify this feature. As a result, it is submitted that independent claim 1, as amended, meets the requirements of 35 U.S.C. §112, Second Paragraph. Claims 2-4 are dependent on claim 1 and similarly meet the requirements of 35

Serial No. 10/082,204

U.S.C. §112, Second Paragraph. Reconsideration of independent claim 1 and dependant claims 2-4 is respectfully requested.

Although not rejected under 35 U.S.C. §112, independent claims 13 and 14 include similar features to independent claim 1 and have been amended in a similar manner as claim 1.

#### REJECTIONS UNDER 35 U.S.C. §103(a)

On pages 2-8 of the Action, claims 1-6, 11, 13-19 and 24 are rejected as being unpatentable over previously-cited Takakura et al. (U.S. 2002/0007396) in view of newly-cited Sandhu et al. (U.S. Patent No. 6,867,733).

On page 3 of the Action, the Examiner states that Takakura discloses delivering the remark, in the form of text data, to the terminals of the other participants of said area chat room by attaching the location of said terminal, as recited in claim 1, citing Takakura paragraphs 21, 37-40, 49-50, 56-59, 64-66, 94-97, 115 and 118.

Applicant respectfully disagrees with the Examiner's interpretation of Takakura. Takakura does not disclose delivering the location of the terminal attached to the remark to the terminals of the other participants. In contrast, Takakura merely teaches obtaining location information of a terminal to determine in which area chat room the user of the terminal will participate. The location information of each terminal is stored in the current position information database 12. (See, for example, [0094]). In Takakura, the location of the terminal is never delivered to the other participants in a chat room, by being attached to a remark.

Independent claims 1, 13 and 14 recite that the location of the terminal making the remark is delivered to the terminals of the other participants of the area chat room.

Similarly, independent claim 5 currently recites receiving the current locations and remarks, in the form of text data, of all the participants as well as map data corresponding to the range of said area chat room from said system and displaying said map data, including the charted locations of all the participants, and remarks of the participants on a display screen of said terminal when the user is in said area chat room.

Independent claim 18 currently recites receiving the current locations and remarks, in the form of text data, of all the participants as well as map data corresponding to the range of said area chat room from said system and displaying said map data, including the charted locations of all the participants, and remarks of the participants on a display screen of said terminal when the user is in said area chat room.

Moreover, Sandhu merely discloses a system in which position information is distributed to mobile units using a data network. (Column 1, lines 8-10). Sandhu does not teach or even

Serial No. 10/082,204

suggest delivering a remark, in the form of text data, to terminals of the other participants of said area chat room with the location of said terminal attached. Therefore, it is respectfully submitted that Sandhu does not teach or suggest the features of independent claims 1, 5, 13, 14 and 18, described above.

Therefore, it is submitted that independent claims 1, 5, 13, 14, and 18 are patentably distinguishable over the prior art.

Dependent claims 2-4, 6, 11, 15-17, 19 and 24 inherit the patentability of their respective base claim and are patentably distinguish over the prior art at least for the same reasons previously discussed.

On pages 8-9 of the Action, claims 7-10 and 20-23 are rejected as being unpatentable over Takakura and Sandhu as applied to claim 5 above, and further in view of Kelts (U.S. 2002/0112237).

Claims 7-10 depend from claim 5 and claims 20-23 depend from claim 18. Thus, dependent claims 7-10 and 20-23 are patentable for at least the reasons provided above.

However, Applicant further disagrees with the Examiner's assertion that Kelts teaches indicating the charted location of the latest speaker by a shape, color, or method different from those for other speakers when charting the locations of the participants who are in said area chat room, as recited in dependent claims 7 and 20.

As the Examiner states, Kelts teaches merely changing the color of map items that represent different types of programming genres or different programming characteristics. Kelts does not relate to chat rooms, and does not teach or even suggest the indicated charted location of the latest speaker.

Accordingly, it is submitted that claims 7-10 and 20-23 are patentably distinguishable over the prior art.

On pages 9-10 of the Action, claims 12 and 25 are rejected as being unpatentable over Takakura and Sandhu as applied to claims 5 and 18 above, and further in view of Hatlelid (U.S. Patent No. 6,772,195).

Claims 12 and 25 depend from claims 5 and 18, respectively. Thus, for at least the reasons provided above for independent claims 5 and 18, the rejections of claims 12 and 25 are also traversed.

## CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending

Serial No. 10/082,204

claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS &amp; HALSEY LLP

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